THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2006

CORAM

THE HONOURABLE MR. JUSTICE P.SATHASIVAM

Transfer C.M.P.No.173 of 2006
& CMP No.1 of 2006

Deva Raja .. Petitioner

Vs.

1. Mrs.Vadivu
2. Minor Vansika
   rep.by her mother
   guardian the first respondent .. Respondents

Transfer C.M.P is filed to withdraw the M.C.No.48 of 2005 pending on the file of the Family Court, Coimbatore and transfer the same to any other First Class Magistrate Court at Coimbatore for trial.

For petitioner : Mr.C.R.Prasanan
For respondents : Mr.Bobblie

ORDER

Heard learned counsel for the petitioner.

2. Transfer Petition is filed seeking to withdraw M.C.No.48 OF 2005 pending on the file of the Family Court, Coimbatore and transfer the same to any other First Class Magistrate Court at Coimbatore for trial. It is not in dispute that the said M.C.No.48 of 2005 was filed by the respondent Nos.1 and 2 who are none else than wife and daughter claiming maintenance before the Family court. Though the learned counsel for the petitioner points out certain inconveniences caused to the petitioner and his counsel was not allowed to cross-examine, taking note of the fact that the petition is filed by the respondents/wife and minor daughter claiming maintenance, I am satisfied that the reasons stated in the affidavit are not sufficient to transfer the same to some other Court. On the other hand, if the request of the petitioner is accepted, undoubtedly it would cause inconvenience to the respondents who filed the said petition seeking maintenance. There is no valid ground for transfer. This petition is dismissed. The connected C.M.P.No.1 of 2006 is also dismissed.

ajr

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

https://hcservices.ecourts.gov.in/hcservices/

To

The Principal Judge, Family Court, Coimbatore

+ one cc to Mrs.Hema Sampath, Advocate Sr.No.27470.

GM (CO)
RSM/3.7.2006

Transfer C.M.P.No.173 of 2006

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